

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: KANEGASAKI, et al.

Serial No.: 10/551,793

Filed: 11/8/2006

Title: Observing Tool and Observing Method Using the Same

Art Unit: 2622

Conf. No.: 5647

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97 & 1.98**

Mail Stop: DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 24, 2009

Sir:

In the matter of the above-identified application, applicants are submitting herewith a copy of a communication issued in connection with a corresponding foreign application, a listing of a US document and a copy and listing of the non-US documents as listed on the attached Form(s) PTO/SB/08A and/or PTO/SB/08B for the Examiner's consideration.

This information disclosure statement is being submitted before the mailing date of a first office action and with the following certification specified in 37 CFR 1.97(e).

On information and belief, I hereby certify that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

To the extent the documents listed on the attached Form PTO-1449 are not in the English language, the requirement of 37 CFR 1.98(a)(3) for a concise explanation of the relevance is satisfied by an English language version or translation of the foreign

patent office report citing the documents, an English language patent family member or an English language abstract of the documents.

It is respectfully requested that this information disclosure statement and the document listed be considered by the Examiner.

Please charge any shortage in the fees due in connection with the filing of this paper, including excess claim fees, to Deposit Account No. 01-2135 (566.45431X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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